

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

GAGANDEEP SINGH,

Plaintiff,

v.

SUMMIT TRUCK GROUP, et al.,

Defendants.

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No. 4:22-cv-00901-SPM

MEMORANDUM AND ORDER

This matter comes before the Court on its own motion. Self-represented plaintiff Gagandeep Singh has filed a civil complaint against defendants Summit Truck Group, Louis Sims, GT Truck Sales, and Does 1 through 5. (Docket No. 1). The complaint, however, is not on a Court-provided form, as required. *See* E.D. Mo. L.R. 2.06(A) (“All actions brought by self-represented plaintiffs or petitioners should be filed on Court-provided forms”). Plaintiff has also failed to either file a motion for leave to proceed in forma pauperis or pay the filing fee. *See* E.D. Mo. L.R. 2.01(B)(1) (“The Clerk may refuse to receive and file any pleading or document in any case until the applicable statutory fee is paid, except in cases accompanied by a completed application to proceed in forma pauperis”).

The Court will therefore direct plaintiff to file an amended complaint on a Court form, which will be sent to him. Plaintiff should fill out the form in its entirety, and ensure that it is signed. He should also follow the directions on the form, using additional sheets of paper as necessary. Plaintiff is advised that the filing of an amended complaint **completely replaces** the original complaint. This means that claims that are not re-alleged in the amended complaint will be deemed abandoned. *See In re Wireless Tel. Fed. Cost Recovery Fees Litig.*, 396 F.3d 922, 928

(8th Cir. 2005) (“It is well-established that an amended complaint supercedes an original complaint and renders the original complaint without legal effect”). The amended complaint will be due within thirty days of the date of this order. If plaintiff fails to file an amended complaint on a Court form within thirty days, this action will be dismissed without prejudice and without further notice.

The Court will also direct plaintiff to either file a motion for leave to proceed in forma pauperis or pay the entire filing fee. Again, he will be given thirty days from the date of this order in which to comply. If plaintiff fails to comply within thirty days, this action will be dismissed without prejudice and without further notice.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall send to plaintiff a copy of its motion for leave to proceed in forma pauperis form.

IT IS FURTHER ORDERED that plaintiff must either file a motion for leave to proceed in forma pauperis or pay the full filing fee within **thirty (30) days** of the date of this order.

IT IS FURTHER ORDERED that if plaintiff fails to either file a motion for leave to proceed in forma pauperis or pay the full filing fee within **thirty (30) days** of the date of this order, the Court will dismiss this action without prejudice and without further notice.

IT IS FURTHER ORDERED that the Clerk of Court shall send to plaintiff a copy of the Court’s civil complaint form.

IT IS FURTHER ORDERED that plaintiff shall file an amended complaint on the Court form within **thirty (30) days** of the date of this order.

IT IS FURTHER ORDERED that if plaintiff fails to file an amended complaint on the Court form within **thirty (30) days** of the date of this order, this action will be dismissed without prejudice and without further notice.

A handwritten signature in black ink, appearing to read "Shirley Padmore", written over a horizontal line.

SHIRLEY PADMORE MENSAH
UNITED STATES MAGISTRATE JUDGE

Dated this 18th day of October, 2022.